



Conservation Commission Meeting
Tuesday, January 28, 2025 at 6:30 PM
Town Hall: Second Floor Meeting Room, 173 Main Street Groton, MA
OPTION TO JOIN REMOTELY

Present: Bruce Easom, Chair; Larry Hurley, Vice Chair; Kim Kuliesis, Clerk; and Olin Lathrop, Peter Morrison, John Smigelski

Absent: Alison Hamilton

Others Present: Charlotte Steeves, Conservation Administrator

Bruce Easom, Chair, opened the meeting at 6:30PM.

1. APPOINTMENTS AND HEARINGS*

6:30- Public Hearing- Notice of Intent- 84 Maplewood Ave: DEP# PENDING

Applicants: Paul & Karen Benoit, Representative: Chris MacKenzie, Dillis & Roy Civil Design Group

Chris Mackenzie from Dillis & Roy Civil Design Group presented a proposal on behalf of his clients to replace the failing septic system with an updated design. The property consists of three small islands, with limited space available for a leach field on the furthest island. To address this challenge, C. Mackenzie proposes installing an E-One Grinder Pump unit, which would utilize a small corrugated pipe running beneath the pond. A directional drilling machine would be used to install the line under the water at a significant depth, ensuring no disturbance to aquatic life. This method is commonly used for wetland crossings. Erosion controls would be implemented around the work area to minimize any potential impact during construction. The directional drilling process is expected to be completed within a single day.

J. Smigelski inquired whether the properties were owned by a single individual, to which C. Mackenzie confirmed that they are under the ownership of one landowner.

B. Easom questioned whether slurry would be used during the directional drilling process and, if so, emphasized the need to ensure it is properly contained. C. MacKenzie noted uncertainty regarding the specific process and its potential impacts.

Upon a motion by P. Morrison, seconded by L. Hurley, it was:
Voted to continue the public hearing to the next scheduled meeting on February 11, 2025.

The motion passed unanimously. 6-0

6:50- Minor Change Request- John Tinker Trail at J Harry Rich State Forest: DEP# 169-1269

Applicant: Paul Funch, Groton Trails Committee; Representative: Ale Echandi, Department of Conservation and Recreation (DCR)

Paul Funch, representing the Trails Committee, and Ale Echandi from the Department of Conservation and Recreation presented a minor modification following an accessibility assessment. To meet accessibility requirements, the proposed interpretive signs would require additional square footage to lay down stone dust to allow for wheelchair users to safely move off the trail. Signs 1 and 2 would need an additional 16 square feet each, while Sign 3 would require 32 square feet. Additionally, the proposed picnic table would require an extra 191 square feet of space to allow proper circulation and would be expanded to the east. The changes have been submitted to Natural Heritage and have received approval.

L. Hurley noted a concern during the site walk regarding the proximity of the picnic area to the water's edge.

O. Lathrop emphasized the importance of minimizing encroachment into the wetlands and requested that no trees larger than 2 inches in diameter be removed.

B. Easom inquired about the original proposed disturbance area. P. Funch confirmed that the initial plan included 6,000 square feet of disturbance.

P. Funch also highlighted that this trail serves as a significant regional resource for handicap accessibility.

Upon a motion by P. Morrison, seconded by L. Hurley, it was:

Voted to accept the minor change for the Tinker Trail at the J Harry Rich State Forest, MassDEP#169-1269, with the condition that no tree larger than 2" in diameter be removed. **The motion passed unanimously. 6-0**

2. GENERAL BUSINESS*

2.1. General Discussions/Announcements

Discussion: Deerhaven Management Plan

C. Steeves informed the Commission that she had been contacted by the Deerhaven Trust regarding Parcel C and its management plan. Chuck Steinhauser from the Deerhaven Trust was present and provided a PowerPoint presentation outlining the current management plan. C. Steinhauser explained that the Trust has maintained five acres as a meadow while actively removing invasive species since 2009, with a total cost of \$24,445. He stated that ongoing maintenance is not feasible and presented three possible resolutions for the parcel's future:

1. **No action** – allowing the meadow to return to a natural state.
2. **Field maintenance by GCC** – with the Groton Conservation Commission assuming responsibility.
3. **Continued maintenance by DHT** – with financial support from GCC, such as funding for herbicides or real estate tax abatement.

P. Morrison opposed the first option due to the presence of invasive species and expressed support for options two and three.

K. Kuliesis commended the Trust for its ongoing efforts in maintaining the meadow.

J. Smigelski inquired about the cost and duration of the mowing process. C. Steinhauser responded that it typically takes four partial days to complete. J. Smigelski recommended seeking additional bids to ensure cost efficiency.

O. Lathrop suggested that the Conservation Commission conduct a site walk in May, accompanied by the Stewardship Committee and the Invasive Species Committee. He also recommended consulting the Invasive Species Committee for their expertise on managing and treating invasive species.

B. Easom favored taking no action, noting that the conservation parcel has no general public use and, therefore, may not require continued maintenance. He also questioned the specifics of the maintenance in Conservation Restriction (CR) on the conservation land.

C. Steinhauser confirmed that the Deerhaven Trust is fully responsible for maintaining Parcel C and would continue all efforts.

The Commission briefly discussed the easement and the secondary access road. It was agreed that a site walk should be scheduled for May to further assess the area.

Discussion: 54 Hill Road- Potential Work Within 200-Foot Riverfront Area

C. Steeves informed the Commission that there is an open Order of Conditions for 54 Hill Road and identified areas where unpermitted work had taken place, including the clearing of underbrush and piles of freshly cut trees. K. Kuliesis agreed that the ground layer appeared significantly reduced.

B. Easom mentioned observing the site from across the river and noted a pile of slash, questioning what course of action should be taken.

P. Morrison recommended issuing an enforcement order to halt all work immediately and suggested that all Commissioners conduct a site walk to assess the situation firsthand.

C. Steeves further reported that Town Council advised contacting the Department of Environmental Protection (DEP) and expressed skepticism that the landowner can effectively enforce their own provisions. B. Easom noted that a Zoom conversation with Brianna Dunn from the DEP had taken place, during which she expressed concern, as their database identifies a small pond on the property as a vernal pool. She stated she would escalate the issue to her supervisors.

O. Lathrop commented that environmental police have the authority to access any site and should be involved to ensure that all work within the wetlands ceases immediately. He also agreed that the full Commission must gain access to the land.

C. Steeves also noted that grading had been conducted closer to the road, and A. Hahn claimed to have received verbal approval from the Conservation Administrator, an assertion that is not accurate.

The Commission unanimously agreed at this time to issue an enforcement order, requiring all work within the wetland boundaries to stop immediately and reaffirming the Commission's legal right to access the property for inspection.

Upon a motion by O. Lathrop, seconded by P. Morrison, it was:
Voted to issue an enforcement order to cease and desist all work within the 200-foot riverfront area and within 100 feet of any wetland area. The order also requires that the entire Conservation Commission be granted access to jurisdictional areas, with a 7-day advance notice to the landowner provided by the Conservation Administrator.

The motion was passed unanimously. 6-0

2.2. General Updates from Administrator

Upcoming Filings

C. Steeves provided an update that the next site walks would include visits to the baseball field at Town Field behind the library for proposed work within the buffer zone, the Bancroft Castle, and a parcel on Shelters Road.

2.3. Committee Updates

Update from CPC

B. Easom reported that the CPC met again last night and discussed the oversubscription of funds, noting a shortfall of \$600,000. He emphasized to the CPC that the Conservation Commission does not support being the only committee required to reduce its funding request. After the first draft of submissions, the CPC will vote on its recommendations for Town Meeting.

O. Lathrop reminded the Commission that the annual Massachusetts Association of Conservation Commissions (MACC) Conference is scheduled for March 1st.

2.4. Land Management & Acquisition

None

2.5. Approve Meeting Minutes

The Commission decided to defer the approval of the meeting minutes until the next scheduled meeting.

2.6. Approve Invoices

The Conservation Commission approved and signed Olin Lathrop's reimbursement request for the \$150 attendance fee for the Massachusetts Association of Conservation Commissions.

3. Open Session for topics not reasonably anticipated 48 hours in advance of meeting*

4. Executive Session pursuant to MGL Ch. 30A, Sec. 21(6): * "To consider the purchase, exchange, lease, or value of real estate, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body."

Bruce Easom, Chair; declared that there was business that required the Commission to move to executive session.

5. Adjournment

7:56PM

Upon a motion by P. Morrison, seconded by J. Smigelski, it was:

Voted to move to Executive Session and not to return to the open session for the purpose of considering the purchase, exchange, lease, or value of real estate, as the chair had declared that an open meeting may have a detrimental effect on the negotiating position of the Commission.

The motion passed by a roll call vote. (Yes: OL, KK, JS, PM, LH, BE) 6-0

APPROVED: February 11th, 2025